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PATENT

OFFICE OF PETITIONS  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

INVENTOR: Martin Hassler  
ASSIGNEE: Metso Lindemann GmbH  
APPLICATION SERIAL NO.: 10/018,278  
FILED: April 2, 2002  
EXAMINER: Eric B. Compton  
GROUP NO.: 3726  
PATENT NO.: 6,763,566  
ISSUE DATE: July 20, 2004  
TITLE: METHOD AND DEVICE FOR DEMOUNTING/REMOUNTING HAMMERS,  
HAMMER AXLES AND/OR PROTECTIVE CAPS OF ROTORS OF HAMMER  
CRUSHERS

Confirmation No.: 8313

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03/20/2008 DALLEN 00000027 10018278

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NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY  
AND  
ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY  
(37 C.F.R. § 1.27(g)(2) and § 1.28(c))

LOSS OF SMALL ENTITY STATUS

1. Applicant asserted, in good faith, small entity status in this application on April 2, 2002 by payment of the basic national filing fees as a small entity (37 C.F.R. § 1.27(c)(3)).
2. Through error, the Office was not notified that the Applicant, Metso Lindemann GmbH, was a large entity at the time of filing Application Serial No. 10/018,278.

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**CERTIFICATION UNDER 37 C.F.R. §1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

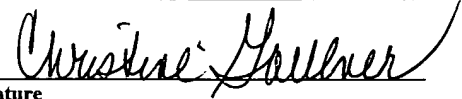
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

\_\_\_\_ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: March 14, 2008

Signature



Christine Goellner

(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

3. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. §1.27(g)(2), that Applicant is not, and was not at the time of filing U.S. Application Serial No. 10/018,278, a small entity.

**ERROR IN PAYMENT OF SMALL ENTITY FEE(S)**

1. On April 2, 2002 Applicant submitted the basic national filing fees as a "*small entity*" in error.
2. An Issue Fee was paid as a **large entity** on May 24, 2004 although status in the records of the U.S. Patent and Trademark Office still indicated Applicant as a small entity.
3. It is the understanding of the undersigned that on January 10, 2008, payment as a large entity was submitted to the U.S. Patent and Trademark Office when filing its fourth year maintenance fee, but that the U.S. Patent and Trademark Office reimbursed half of the payment to the Patentee.
4. The Applicant's new representative was retained in January 2008, and was informed on January 16, 2008 that the Applicant (Patentee) was **not** a small entity.
5. The undersigned reviewed the files of the U.S. Patent and Trademark Office and noted the foregoing errors.
6. The assertion of small entity status in this application and the payment of fee(s) as a small entity were made in good faith.

**Itemization of the Fee(s) Erroneously Paid as Small Entity**

7.	<u>FEE(S) ERRONEOUSLY PAID</u>	<u>FEE ACTUALLY</u>	<u>DEFICIENCY</u>
	<u>AS A SMALL ENTITY</u>	<u>PAID AS A</u> <u>SMALL ENTITY</u>	<u>OWED</u>
	Basic National Filing Fees paid on December 14, 2001	\$445.00	\$485.00
	Fourth year Maintenance Fee paid on Jan. 10, 2008 (It is believed that payment as a large entity was submitted to the USPTO, but the USPTO reimbursed half the payment to Patentee since USPTO records showed Patentee still claiming small entity status)	\$0.00	<u>\$465.00</u>
		<b>Total deficiency owed</b>	<b><u>\$950.00</u></b>

**Payment of Deficiency**

8. The total deficiency owed is paid as follows:

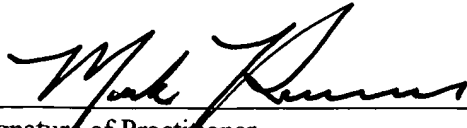
Authorization is hereby made to charge the amount of \$950.00 to Credit card as shown on the attached credit card information authorization form PTO-2038. Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0537. A duplicate of this paper is attached.

Date: March 14, 2008

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Customer No.: 22203



Signature of Practitioner

Mark Kusner

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